



**MINUTES OF A REGULAR MEETING OF THE
UPLAND PLANNING COMMISSION HELD
WEDNESDAY, AUGUST 28, 2019
AT 6:30 P.M.**

CALL TO ORDER OF THE PLANNING COMMISSION REGULAR MEETING

Chair Schwary called the Regular Meeting of the Upland Planning Commission to order in the Council Chambers of the Upland City Hall at 6:30 P.M.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by *Commissioner Brouse*.

ROLL CALL

MEMBERS PRESENT: Commissioners Anderson, Brouse, Novikov, Walker, Vice Chair Aspinall, and Chair Schwary

MEMBERS ABSENT: Commissioner Verrinder

ALSO PRESENT: Development Services Director and Planning Commission Secretary Dalquest, Contract Planning Manager Poland, Senior Administrative Assistant Davidson, Deputy City Attorney Shah

APPROVAL/MINUTES

Moved by *Commissioner Anderson*, to approve of the minutes of the Planning Commission meeting of June 26, 2019.

The motion was seconded by *Vice Chair Aspinall*.

The motion carried by the following vote:

AYES: *Commissioners Anderson, Brouse, Novikov, Vice Chair Aspinall, and Chair Schwary*

NAYS: None ABSTAINED: *Commissioner Walker*

ABSENT: *Commissioner Verrinder*

COUNCIL ACTIONS

Development Services Director Dalquest provided a brief follow up on the July 8, July 20, and July 22 City Council meetings, noting no items of interest to the Planning Commission were discussed. On August 12, 2019 the City Council considered appointment and reappointment to the Planning Commission as well as the extension of the term of Chair.

FUTURE AGENDAS

Contract Planning Manager Poland indicated that there will be three (3) Conditional Use Permits, one (1) old business item and one (1) study session on the proposed wireless telecommunications ordinance at the upcoming meeting.

Chair Schwary spoke about the Planning Commissioner term expirations and the process of interviewing new candidates.

Deputy City Attorney Shah spoke about the government code provisions which establish the means for appointing new Planning Commissioners and stated the open seats may remain filled by the Commissioners with expired terms.

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Chair Schwary indicated that Commissioner Brouse chose to remain on the Commission and that Commissioner Verrinder did not.

Chair Schwary spoke about his tenure as Chair and thanked the residents and fellow Commissioners for allowing him to serve, and staff for assisting him over the years.

ORAL COMMUNICATIONS

Chair Schwary stated this is the time for any citizen to comment on any items that are not listed on the agenda under "Public Hearings" but within the Planning Commission's purview. Anyone wishing to address the Planning Commission should submit a speaker card to the Planning Secretary prior to speaking. The speakers are requested to keep their comments to five (5) minutes. The use of visual aids will be included in the time limit. Under the provisions of the Brown Act, the Planning Commission is prohibited from acting on items not listed on the agenda.

Councilmember Velto thanked *Chair Schwary* for his service to the City and community over the years.

Noting there were no further members of the public wishing to address the Commission, *Chair Schwary* closed the oral communications.

ELECTION

Commissioner Anderson nominated *Vice Chair Aspinall* to the position of Chair.

AYES: *Commissioners Anderson, Brouse, Novikov, Walker, and Chair Schwary*

NAYS: None ABSTAINED: *Vice Chair Aspinall*

ABSENT: *Commissioner Verrinder*

Newly elected *Chair Aspinall* call for nominations for the position of Vice Chair.

Commissioner Anderson nominated *Commissioner Schwary* to the position of Vice Chair.

AYES: *Commissioners Anderson, Brouse, Novikov, Schwary, Walker, Chair Aspinall*

NAYS: None ABSTAINED: None

ABSENT: *Commissioner Verrinder*

Commissioner Schwary is elected Vice Chair of the Planning Commission.

RECESS

The Planning Commission recessed at 6: 44 p.m.

The Planning Commission reconvened at 6:48 p.m.

PUBLIC HEARINGS – None.

BUSINESS ITEMS

1. HOUSING ELEMENT UPDATE

STAFF:	Mike Poland, Contract Planning Manager
RECOMMENDATION:	Staff recommends that the Planning Commission receive and file the City's Housing Element Update information as presented.

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Contract Planning Manager Poland introduced the item, noting that the item is for informational purposes only. He spoke about requirements and regulations; procedures; regional housing needs assessment numbers (RHNA); breakdown of RHNA numbers; methodology; number of units built from 2013 to date; affordability requirements; other housing element issues; rehabilitation of units; projects which were submitted and approved by the Planning Commission in the past year; number of units currently under construction; description of developments currently under construction; projects which have been approved, but not yet constructed; projects currently under review;

Commissioner Anderson inquired as to a property at 8th and Euclid.

In response to *Commissioner Anderson's* inquiry, *Contract Planning Manager Poland* noted that the permits have expired.

Commissioner Walker asked for staff to explain the importance of achieving the RHNA goals in housing numbers and what percentage meets the low to moderate income housing.

In response to *Commissioner Walker's* inquiry, *Contract Planning Manager Poland* indicated that state funding and CDBG grants are tied to RHNA numbers and that there are currently no low to moderate income housing plans.

Development Services Director Dalquest spoke in detail about RHNA numbers, goals and potential consequences to not following the Housing Element. He noted ADU's will more than likely be the optimum way to meet the low to moderate income housing numbers.

The Planning Commission received and filed the report.

2. RULES AND PROCEDURES FOR THE UPLAND PLANNING COMMISSION

STAFF:	Jamie Davidson, Senior Administrative Assistant
RECOMMENDATION:	Move to adopt a Resolution amending Rules and Procedures for the Upland Planning Commission as set forth in the resolution dated August 28, 2019.

Senior Administrative Assistant Davidson provided the details of the report, including past Commission action, prior approvals, and recommended changes.

Vice Chair Schwary inquired as to the major changes in the presented updated rules and procedures for the Planning Commission.

In response to *Vice Chair Schwary's* inquiry, *Senior Administrative Assistant Davidson* indicated that the numbering system of the Resolutions; adding the "Commission Communications" item to the agenda; changing the verbiage for the election and term of Commissioners; and adding certification language to the end of the resolutions are the major changes.

Chair Aspinall requested the certification language be updated and inquired as to the conduct of public hearings with regards to making a motion.

In response to *Chair Aspinall's* inquiry, *Deputy City Attorney Shah* indicated that after all evidence and testimony is collected, the Commission discusses the item, then any Commissioner is free to make a motion once a decision has been made.

Chair Aspinall requested item 7 be updated to provide for direction to make a motion.

Commissioner Novikov suggested that with regards to the election of the Chair and Vice Chair, information about the Commissioners be made available to assist the Commission in determining qualifications prior to the election.

Deputy City Attorney Shah suggested that the information in the Commissioner applications annually be presented to the Commission at election time.

Discussion ensued related to the content and extent of the information submitted by Commissioners for consideration.

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Vice Chair Schwary moved to adopt a Resolution amending Rules and Procedures for the Upland Planning Commission as set forth in the resolution dated August 28, 2019, as amended to clarify that a motion may be made after the public hearing is closed; change certification language to be gender-neutral; to allow Commissioners submit biographical information on a form for consideration; and direct staff to provide said forms to the Commission one (1) month prior to the election date.

The motion was seconded by *Commissioner Anderson*.

The motion carried by the following vote:

AYES: *Commissioners Anderson, Brouse, Novikov, Walker, Vice Chair Schwary, and Chair Aspinall*

NAYS: None ABSTAINED: None

ABSENT: *Commissioner Verrinder*

3. HOLIDAY MEETING SCHEDULE

STAFF:	Jamie Davidson, Senior Administrative Assistant
RECOMMENDATION:	Staff recommends the Planning Commission reschedule the regular November and December Planning Commission meetings to November 13, 2019 and December 11, 2019.

Senior Administrative Assistant Davidson provided the details of the report, noting anticipated conflicts with the November and December regular meeting dates and provided staff's recommendation.

Deputy City Attorney Shah provided alternate arrangements such as changing the regular meeting dates of the Planning Commission and noted that this is a routine annual action taken by the Commission.

Commissioner Anderson moved to approve Staff's recommendation to reschedule the regular November and December Planning Commission meetings to November 13, 2019 and December 11, 2019.

The motion was seconded by *Vice Chair Schwary*.

The motion carried by the following vote:

AYES: *Commissioners Anderson, Brouse, Novikov, Walker, Vice Chair Schwary, and Chair Aspinall*

NAYS: None ABSTAINED: None

ABSENT: *Commissioner Verrinder*

STUDY SESSION

1. ACCESSORY DWELLING UNITS

Development Services Director Dalquest provided a background on accessory dwelling units (ADU) and indicated that the state laws have recently changed substantially with regards to ADU's. He also noted the presentation of a draft ordinance as it relates to ADU's prior to the formal public hearing process. He spoke about the details of the staff report, including the ADU ordinance; comparison chart; memorandum from the Department of Housing and Community Development; and the memorandum from HCD which clarifies Bills which were adopted. He also explained what an ADU is; intentions of ADU's; forms of ADU's; definitions under state law; size requirements; SB 1069, AB 2299, and AB 2406; AB 494 SB 229; summary of Bill requirements; purpose of the new ordinance; policy issues; potential areas for development; size provisions; occupancy requirements; rental prohibitions; public transit definition; parking; and state control. He indicated that he wishes to hold an additional study session in the future to further gauge public opinion.

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Chair Aspinall requested clarification on front setback requirements.

In response to *Chair Aspinall's* inquiry, *Development Services Director Dalquest* explained the setback requirements in relation to parking requirements and definitions.

Commissioner Anderson inquired if once the City is in compliance with their ADU ordinance, would they then be qualified for available grant funding.

In response to *Commissioner Anderson's* inquiry, *Development Services Director Dalquest* indicated that most importantly, the state will now allow ADU's to count towards RHNA numbers.

Commissioner Walker inquired if the ordinance addresses number of occupants in an ADU.

In response to *Commissioner Walker's* inquiry, *Development Services Director Dalquest* indicated that the size of the ADU is dependent on building code requirements.

Development Services Director Dalquest spoke about next steps.

The item was received and filed.

Chair Aspinall inquired as to the vacant position on the Airport Land Use Committee.

In response to *Chair Aspinall's* inquiry, *Development Services Director Dalquest* indicated that the position is currently vacant and looking to be filled.

Chair Aspinall thanked *Commissioner Brouse* and *Commissioner Verrinder* for their service to the Commission and the Community.

ADJOURNMENT

There being no further business to come before the Planning Commission, *Chair Aspinall* adjourned the meeting at 7:58 P.M., to the regular meeting of the Planning Commission on September 25, 2019, at 6:30 P.M.

Respectfully submitted,



Robert D. Dalquest, Secretary
Upland Planning Commission